

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LORENZO RELERFORD,

Petitioner,

Civil No. 2:18-CV-12654
HONORABLE VICTORIA A. ROBERTS
UNITED STATES DISTRICT JUDGE

v.

RANDEE REWERTS,

Respondent,

_____ /

SECOND ORDER COMPELLING PRODUCTION OF STATE COURT RECORD

Petitioner filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Magistrate Judge R. Steven Whalen signed an order of responsive pleadings requiring Respondent to file an answer in accordance with Rule 5 of the habeas corpus rules by April 5, 2019. On that day, Respondent filed an answer to the petition for writ of habeas corpus, as well as some of the Rule 5 materials. Respondent failed to provide this Court with a copy of the transcripts from Petitioner's original trial in 2012 and his two re-trials in 2015. These transcripts are necessary for resolving several of Petitioner's claims.

The habeas corpus rules require respondents to attach the relevant portions of the transcripts of the state court proceedings, if available, and the court may also order, on its own motion, or upon the petitioner's request, that further portions of the transcripts be furnished. *Griffin v. Rogers*, 308 F. 3d 647, 653 (6th Cir. 2002); Rules Governing § 2254

Cases, Rule 5, 28 U.S.C. foll. § 2254. “When this information is required, it is the State’s responsibility to provide it.” *Griffin*, 308 F. 3d at 654.

Based upon the foregoing, the Court ORDERS Respondent to produce the trial transcripts from Petitioner’s first, second, and third trials in the Genesee County Circuit Court **twenty one (21) days** of the date of this order or show cause why they are unable to comply with the order.

s/ Victoria A. Roberts
HON. VICTORIA A. ROBERTS
UNITED STATES DISTRICT JUDGE

Dated: 8/28/19